

Cote, D.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FEDERAL HOUSING FINANCE AGENCY,
etc.,

Plaintiff,

-against-

MERRILL LYNCH & CO., INC., et al.,

Defendants;

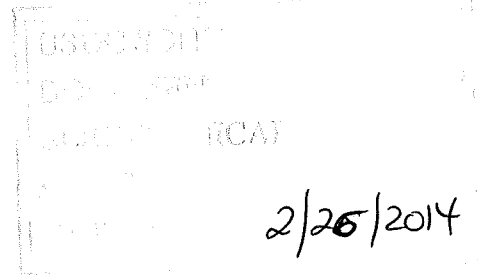
And other FHFA cases.

11 Civ. 6198 (DLC)

11 Civ. 6200 (DLC)

11 Civ. 6202 (DLC)

11 Civ. 7010 (DLC)



STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING NON-RE-UNDERWRITING EXPERT SCHEDULE

WHEREAS, Plaintiff Federal Housing Finance Agency (“FHFA”) and the Defendants in *FHFA v. Merrill Lynch & Co., Inc.*, 11 Civ. 6202 agreed to, and the Court ordered, a revised pretrial schedule governing expert discovery on September 6, 2013 and December 6, 2013;

WHEREAS, FHFA and the Defendants in *FHFA v. Goldman Sachs & Co.*, 11 Civ. 6198, *FHFA v. Credit Suisse Holdings (USA), Inc.*, 11 Civ. 6200, and *FHFA v. Ally Financial, Inc.*, 11 Civ. 7010 (collectively, the “Tranche 3 cases”) agreed to, and the Court ordered, a revised pretrial schedule governing expert discovery on September 25, 2013;

WHEREAS, on February 21, 2014, the Defendants in the Tranche 3 cases requested a short extension of the deadlines to serve non-re-underwriting expert reports and rebuttal non-re-underwriting expert reports;

WHEREAS, FHFA was willing to agree to an extension if the deadline to serve rebuttal non-re-underwriting expert reports in *Merrill Lynch* occurred after the Tranche 3 cases served their non-re-underwriting expert reports;

WHEREAS, at the request of the Defendants in the Tranche 3 cases, the Defendants in *Merrill Lynch* agreed to an extension of the deadline to serve rebuttal non-re-underwriting expert reports; and

WHEREAS, FHFA and Defendants in the Tranche 2 and 3 cases agree that no party shall raise this revised schedule as a basis for altering the summary judgment or trial schedule previously ordered by the Court;

IT IS NOW STIPULATED AND AGREED BY THE PARTIES THAT:

1. The schedule set forth on Exhibit 1 hereto shall govern the schedule for disclosing non-re-underwriting expert reports on any issues for which a party bears the burden of proof, and any rebuttal non-re-underwriting expert reports, in the *Merrill Lynch*, *Goldman Sachs*, *Credit Suisse*, and *Ally* cases.

So ordered.
Janice G. K.
2/26/14

Dated: February 24, 2014
New York, New York

STIPULATED AND AGREED:

Sascha N. Rand / ET
Sascha N. Rand
(sascharand@quinnemanuel.com)
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, New York 100 10
(212) 849-7000

*Attorneys for Plaintiff Federal Housing Finance
Agency in FHFA v. Merrill Lynch & Co., Inc.
and FHFA v. Goldman, Sachs & Co.*

Christine H. Chung / ET
Christine H. Chung
(christinechung@quinnemanuel.com)
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, New York 10010
(212) 849-7000

*Attorneys for Plaintiff Federal Housing Finance
Agency in FHFA v. Credit Suisse Holdings
(USA), Inc.*

Kanchana Wangkeo Leung
(kleung@kasowitz.com)
KASOWITZ, BENSON, TORRES &
FRIEDMAN LLP
1633 Broadway
New York, New York 10019
(212) 506-1700

*Attorneys for Plaintiff Federal Housing Finance
Agency in FHFA v. Ally Financial Inc.*

Dated: February 24, 2014
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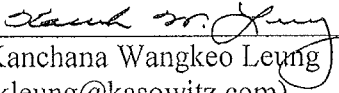
STIPULATED AND AGREED:

Sascha N. Rand
(sascharand@quinnemanuel.com)
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, New York 100 10
(212) 849-7000

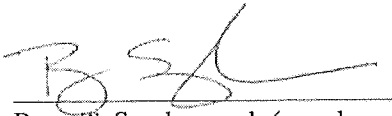
*Attorneys for Plaintiff Federal Housing Finance
Agency in FHFA v. Merrill Lynch & Co., Inc.
and FHFA v. Goldman, Sachs & Co.*

Christine H. Chung
(christinechung@quinnemanuel.com)
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, New York 10010
(212) 849-7000

*Attorneys for Plaintiff Federal Housing Finance
Agency in FHFA v. Credit Suisse Holdings
(USA), Inc.*


Kanchana Wangkeo Leung
(kleung@kasowitz.com)
KASOWITZ, BENSON, TORRES &
FRIEDMAN LLP
1633 Broadway
New York, New York 10019
(212) 506-1700

*Attorneys for Plaintiff Federal Housing Finance
Agency in FHFA v. Ally Financial Inc.*



Ryan T. Scarborough (rscarborough@wc.com)
Edward J. Bennett (ebennett@wc.com)
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005-5901

Daniel Zinman (dzinman@rkollp.com)
Matthew Riccardi (mriccardi@rkollp.com)
RICHARDS KIBBE & ORBE LLP
200 Liberty Street
New York, N.Y. 10281-1003

*Attorneys for Merrill Lynch & Co., Inc., Merrill
Lynch Pierce Fenner & Smith Inc., Merrill
Lynch Mortgage Lending, Inc., Merrill Lynch
Mortgage Capital Inc., First Franklin
Financial corp., Merrill Lynch Mortgage
Investors, Inc., Merrill Lynch Government
Securities, Inc.*

*Attorneys for Matthew Whalen, Brian Sullivan,
Michael McGovern, Donald Puglisi, Paul Park,
Donald Han*

Richard W. Clary (rclary@cravath.com)
Richard J. Stark (rstark@cravath.com)
Michael T. Reynolds (mreynolds@cravath.com)
Lauren A. Moskowitz (lmoskowitz@cravath.com)
CRAVATH, SWAINE & MOORE LLP
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019

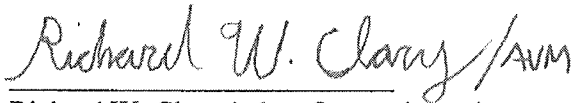
Richard H. Klapper (klapperr@sullcrom.com)
Theodore Edelman (edelmant@sullcrom.com)
Michael T. Tomaino, Jr. (tomainom@sullcrom.com)
Tracy Richelle High (hight@sullcrom.com)
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, NY 10004-2498

*Attorneys for Credit Suisse Securities (USA)
LLC, Credit Suisse Holdings (USA), Inc.,
Credit Suisse (USA), Inc., DLJ Mortgage
Capital, Inc., Credit Suisse First Boston
Mortgage Securities Corporation, Asset Backed
Securities Corporation, Credit Suisse First
Boston Mortgage Acceptance Corporation,
Andrew A. Kimura, Jeffrey A. Altabef, Eveleyn
Echevarria, Michael A. Marriott, Zev Kindler,
Thomas E. Siegler, Thomas Zingalli, Carlos
Onis, Steven L. Kantor, Joseph M. Donovan,
Juliana Johnson, and Greg Richter*

*Attorneys for Goldman, Sachs & Co., GS
Mortgage Securities Corp., Goldman Sachs
Mortgage Company, The Goldman Sachs
Group, Inc., Goldman Sachs Real Estate
Funding Corp., Howard S. Altarescu, Kevin
Gasvoda, Michelle Gill, David J. Rosenblum,
Jonathan S. Sobel, Daniel L. Sparks, and Mark
Weiss*

Ryan T. Scarborough (rscarborough@wc.com)
Edward J. Bennett (ebennett@wc.com)
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005-5901

*Attorneys for Merrill Lynch & Co., Inc., Merrill
Lynch Pierce Fenner & Smith Inc., Merrill
Lynch Mortgage Lending, Inc., Merrill Lynch
Mortgage Capital Inc., First Franklin
Financial corp., Merrill Lynch Mortgage
Investors, Inc., Merrill Lynch Government
Securities, Inc.*



Richard W. Clary (rclary@cravath.com)
Richard J. Stark (rstark@cravath.com)
Michael T. Reynolds (mreynolds@cravath.com)
Lauren A. Moskowitz (lmoskowitz@cravath.com)
CRAVATH, SWAINE & MOORE LLP
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019

*Attorneys for Credit Suisse Securities (USA)
LLC, Credit Suisse Holdings (USA), Inc.,
Credit Suisse (USA), Inc., DLJ Mortgage
Capital, Inc., Credit Suisse First Boston
Mortgage Securities Corporation, Asset Backed
Securities Corporation, Credit Suisse First
Boston Mortgage Acceptance Corporation,
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Onis, Steven L. Kantor, Joseph M. Donovan,
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Daniel Zinman (dzinman@rkollp.com)
Matthew Riccardi (mriccardi@rkollp.com)
RICHARDS KIBBE & ORBE LLP
200 Liberty Street
New York, N.Y. 10281-1003

*Attorneys for Matthew Whalen, Brian Sullivan,
Michael McGovern, Donald Puglisi, Paul Park,
Donald Han*

Richard H. Klapper (klapperr@sullcrom.com)
Theodore Edelman (edelmant@sullcrom.com)
Michael T. Tomaino, Jr. (tomainom@sullcrom.com)
Tracy Richelle High (hight@sullcrom.com)
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, NY 10004-2498

*Attorneys for Goldman, Sachs & Co., GS
Mortgage Securities Corp., Goldman Sachs
Mortgage Company, The Goldman Sachs
Group, Inc., Goldman Sachs Real Estate
Funding Corp., Howard S. Altarescu, Kevin
Gasvoda, Michelle Gill, David J. Rosenblum,
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Ryan T. Scarborough (rscarborough@wc.com)
Edward J. Bennett (ebennett@wc.com)
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005-5901

*Attorneys for Merrill Lynch & Co., Inc., Merrill
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Richard W. Clary (rclary@cravath.com)
Richard J. Stark (rstark@cravath.com)
Michael T. Reynolds (mreynolds@cravath.com)
Lauren A. Moskowitz (lmoskowitz@cravath.com)
CRAVATH, SWAINE & MOORE LLP
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019

*Attorneys for Credit Suisse Securities (USA)
LLC, Credit Suisse Holdings (USA), Inc.,
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Matthew Riccardi
Daniel Zinman (dzinman@rkollp.com)
Matthew Riccardi (mriccardi@rkollp.com)
RICHARDS KIBBE & ORBE LLP
200 Liberty Street
New York, N.Y. 10281-1003

*Attorneys for Matthew Whalen, Brian Sullivan,
Michael McGovern, Donald Puglisi, Paul Park,
Donald Han*

Richard H. Klapper (klapperr@sullcrom.com)
Theodore Edelman (edelmant@sullcrom.com)
Michael T. Tomaino, Jr. (tomainom@sullcrom.com)
Tracy Richelle High (hight@sullcrom.com)
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, NY 10004-2498

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Group, Inc., Goldman Sachs Real Estate
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Gasvoda, Michelle Gill, David J. Rosenblum,
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Weiss*

Ryan T. Scarborough (rscarborough@wc.com)
Edward J. Bennett (ebennett@wc.com)
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005-5901

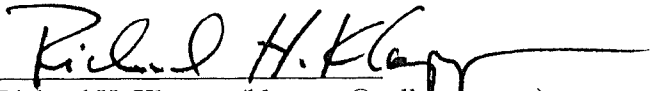
Attorneys for Merrill Lynch & Co., Inc., Merrill Lynch Pierce Fenner & Smith Inc., Merrill Lynch Mortgage Lending, Inc., Merrill Lynch Mortgage Capital Inc., First Franklin Financial corp., Merrill Lynch Mortgage Investors, Inc., Merrill Lynch Government Securities, Inc.

Richard W. Clary (rclary@cravath.com)
Richard J. Stark (rstark@cravath.com)
Michael T. Reynolds (mreynolds@cravath.com)
Lauren A. Moskowitz (lmoskowitz@cravath.com)
CRAVATH, SWAINE & MOORE LLP
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019

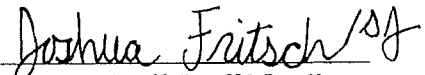
Attorneys for Credit Suisse Securities (USA) LLC, Credit Suisse Holdings (USA), Inc., Credit Suisse (USA), Inc., DLJ Mortgage Capital, Inc., Credit Suisse First Boston Mortgage Securities Corporation, Asset Backed Securities Corporation, Credit Suisse First Boston Mortgage Acceptance Corporation, Andrew A. Kimura, Jeffrey A. Altabef, Eveleyn Echevarria, Michael A. Marriott, Zev Kindler, Thomas E. Siegler, Thomas Zingalli, Carlos Onis, Steven L. Kantor, Joseph M. Donovan, Juliana Johnson, and Greg Richter

Daniel Zinman (dzinman@rkollp.com)
Matthew Riccardi (mriccardi@rkollp.com)
RICHARDS KIBBE & ORBE LLP
200 Liberty Street
New York, N.Y. 10281-1003

Attorneys for Matthew Whalen, Brian Sullivan, Michael McGovern, Donald Puglisi, Paul Park, Donald Han


Richard H. Klapper (klapperr@sullcrom.com)
Theodore Edelman (edelmant@sullcrom.com)
Michael T. Tomaino, Jr. (tomainom@sullcrom.com)
Tracy Richelle High (hight@sullcrom.com)
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, NY 10004-2498

Attorneys for Goldman, Sachs & Co., GS Mortgage Securities Corp., Goldman Sachs Mortgage Company, The Goldman Sachs Group, Inc., Goldman Sachs Real Estate Funding Corp., Howard S. Altarescu, Kevin Gasvoda, Michelle Gill, David J. Rosenblum, Jonathan S. Sobel, Daniel L. Sparks, and Mark Weiss


David H. Braff (braffd@sullcrom.com)
Brian T. Frawley (frawleyb@sullcrom.com)
Jeffrey T. Scott (scottj@sullcrom.com)
Joshua Fritsch (fritschj@sullcrom.com)
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, NY 10004

Attorneys for Barclays Capital Inc.

Thomas C. Rice (trice@stblaw.com)
David J. Woll (dwoll@stblaw.com)
Alan Turner (aturner@stblaw.com)
SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue
New York, NY 10017

Attorneys for Defendant RBS Securities Inc.

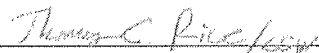
SO ORDERED:

By: _____
The Honorable Denise L. Cote, U.S.D.J.

Date: _____

David H. Braff (braffd@sullcrom.com)
Brian T. Frawley (frawleyb@sullcrom.com)
Jeffrey T. Scott (scottj@sullcrom.com)
Joshua Fritsch (fritschj@sullcrom.com)
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, NY 10004

Attorneys for Barclays Capital Inc.



Thomas C. Rice (trice@stblaw.com)
David J. Woll (dwoll@stblaw.com)
Alan Turner (aturner@stblaw.com)
SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue
New York, NY 10017

Attorneys for Defendant RBS Securities Inc.

SO ORDERED:

By: _____
The Honorable Denise L. Cote, U.S.D.J.

Date: _____

Exhibit 1

Case	Event	Date
Merrill Lynch	The parties shall serve any rebuttal non-re-underwriting expert reports.	Mar. 14, 2014
Goldman Sachs	The parties shall serve any non-re-underwriting expert reports on any issues for which they bear the burden of proof.	Mar. 7, 2014
	The parties shall serve any rebuttal non-re-underwriting expert reports.	May 2, 2014
Credit Suisse	The parties shall serve any non-re-underwriting expert reports on any issues for which they bear the burden of proof.	Mar. 12, 2014
	The parties shall serve any rebuttal non-re-underwriting expert reports.	May 12, 2014
Ally	The parties shall serve any non-re-underwriting expert reports on any issues for which they bear the burden of proof.	Mar. 19, 2014
	The parties shall serve any rebuttal non-re-underwriting expert reports.	May 28, 2014